

**VETERINARY EXAMINING BOARD
MINUTES
JANUARY 30, 2013**

PRESENT: Brenda Nemec, C.V.T. (via phone); William Rice, D.V.M. (via phone); Sheldon Schall; Robert Spencer, D.V.M.; Neil Wiseley, D.V.M.

EXCUSED: Wesley Elford, D.V.M.

STAFF: Tom Ryan, Executive Director; Pamela Stach, Legal Counsel; Karen Rude-Evans, Bureau Assistant; Shawn Leatherwood, Paralegal; Sharon Henes, Paralegal, and other Department Staff

CALL TO ORDER

Robert Spencer, Chair, called the meeting to order at 9:35 a.m. A quorum of five (5) members was present.

ADOPTION OF AGENDA

Amendments:

- Under Item F , Review Wildlife Ecology Degree, is moved to closed session after Item R - insert after page 147
- Item W (open session) add: Veterinary Examining Board and AAVSB Fall 2014 Meeting
- Case Status Report – insert at the end of closed session

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 24, 2012

MOTION: William Rice moved, seconded by Brenda Nemec, to approve the minutes of October 24, 2012 as written. Motion carried unanimously.

RULE DRAFTING

**CONSIDERATION OF CLEARINGHOUSE REPORT AND PUBLIC HEARING
REGARDING PROPOSED CHANGES TO WI ADM CODE S VET 1.02**

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to adopt the changes recommended in the Clearinghouse report CR 12-051. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to approve the rule CR 12-051 as amended. Motion carried unanimously.

**CONSIDERATION OF CLEARINGHOUSE REPORT AND PUBLIC HEARING
REGARDING PROPOSED CHANGES TO WI ADM CODE S VET 7, 9 AND 10**

MOTION: Sheldon Schall moved, seconded by Neil Wiseley, to adopt the changes recommended in the Clearinghouse report CR 12-052. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to approve the rule CR 12-052 as amended. Motion carried unanimously. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to have a board member approve the drafts and legislative reports for CR 12-051 and CR 12-052. Motion carried unanimously.

**REVIEW PROPOSED RULE FOR WI ADM CODE S VET 2, 3, 4, 5 AND 6 RELATING
TO LICENSURE, TEMPORARY PERMITS AND EXAMINATIONS**

MOTION: Sheldon Schall moved, seconded by Brenda Nemec, to approve the amended rule for Clearinghouse review relating to licensure, temporary permits and examinations. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Brenda Nemec, to appoint a member of the Board to review the amended rule draft prior to filing with the Clearinghouse. Motion carried unanimously.

**REVIEW PROPOSED RULE FOR WI ADM CODE S VET 1.02, 7, 8 AND 9 RELATING
TO STANDARDS OF PRACTICE AND UNPROFESSIONAL CONDUCT OF
VETERINARIANS AND VETERINARY TECHNICIANS**

MOTION: Neil Wiseley moved, seconded by Brenda Nemec, to approve the amended rule for Clearinghouse review relating to the standards of practice and unprofessional conduct of veterinarians and veterinary technicians. Motion carried unanimously.

MOTION: Sheldon Schall moved, seconded by Brenda Nemec, to appoint Dr. William Rice or another member of the Board to review the amended rule draft prior to filing with the Clearinghouse. Motion carried unanimously.

ELECTION OF BOARD OFFICERS AND APPOINTMENT OF LIAISONS

NOMINATION: Wesley Elford nominated Robert Spencer for Chair.

Tom Ryan called for nominations three times. Hearing no additional nominations, a vote was called.

Robert Spencer was elected Chair by unanimous vote.

NOMINATION: Neil Wiseley nominated William Rice for Vice Chair.

Tom Ryan called for nominations three times. Hearing no additional nominations, a vote was called.

William Rice was elected Vice Chair by unanimous vote.

NOMINATION: William Rice nominated Neil Wiseley for Secretary.

Tom Ryan called for nominations three times. Hearing no additional nominations, a vote was called.

Neil Wiseley was elected Secretary by unanimous vote.

2013 ELECTION RESULTS

Chair	Robert Spencer
Vice Chair	William Rice
Secretary	Neil Wiseley

Screening Panel: Wesley Elford, Brenda Nemec, Robert Spencer, Sheldon Schall
DLSC Liaison: Robert Spencer, Neil Wiseley (alternate)
Education and Exams Liaison: Brenda Nemec, Neil Wiseley (alternate)
Website Liaison: Sheldon Schall
Credentialing Liaison: William Rice, Sheldon Schall (alternate)
Legislative Liaison: no appointment at this time
Travel Liaison: Robert Spencer

MOTION: Sheldon Schall moved, seconded by Brenda Nemec, to approve the appointments as noted. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by William Rice, that in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

EXECUTIVE ORDER 61

MOTION: William Rice moved, seconded by Brenda Nemec, that the Board has reviewed their rules and found no unnecessary burden to small businesses. Motion carried unanimously.

BOARD REVIEW OF POSITION STATEMENTS AND POSITION PAPERS

MOTION: William Rice moved, seconded by Brenda Nemec, to amend the position papers to be consistent with Executive Order 50, Wisconsin statutes and rules. Motion carried unanimously.

CLOSED SESSION

MOTION: Robert Spencer moved, seconded by Neil Wiseley, to convene to closed session to deliberate on cases following hearing (Wis. Stat. 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Roll Call Vote: Brenda Nemec-yes; William Rice-yes; Sheldon Schall-yes; Robert Spencer-yes and Neil Wiseley-yes. Motion carried unanimously.

The Board convened into closed session at 12:09 p.m.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Neil Wiseley moved, seconded by William Rice, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 1:55 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

ORDER(S) FIXING COSTS

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against **Aaron T. Scofield, CVT (11 VET 040/Order No.0002100)**. Motion carried unanimously.

MONITORING

MOTION: Neil Wiseley moved, seconded by William Rice, to approve the additional records submitted from **Frank F. During, DVM**. Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Sheldon Schall, to deny the request for full licensure from **Thomas J. Gianforte, DVM**, and to require he resubmit protocols addressing the authorization criteria for staff dispensing of over-the-counter and prescription medications. Motion carried unanimously.

APPLICATION REVIEW(S)

MOTION: Sheldon Schall moved, seconded by Brenda Nemec, to table the review of the veterinary technician application of **M.M.** Motion carried unanimously.

MOTION: Brenda Nemec moved, seconded by Sheldon Schall, to deny the veterinary technician certification and the request to sit for the VTNE exam to **J.B.** due to failure to meet the degree equivalency requirements pursuant to Wis. Stat. 453.06(3) Motion carried unanimously.

CASE CLOSINGS

MOTION: Sheldon Schall moved, seconded by Brenda Nemec, to close case **12 VET 007 for insufficient evidence.** Motion carried unanimously.

MOTION: Neil Wiseley moved, seconded by Brenda Nemec, to close case **12 VET 009 for no violation.** Motion carried unanimously.

MOTION: William Rice moved, seconded by Brenda Nemec, to close case **12 VET 024 for no violation.** Motion carried unanimously.

MOTION: Brenda Nemec moved, seconded by Sheldon Schall to close case **12 VET 012 for prosecutorial discretion (P7).** Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned by consensus at 1:59 p.m.